REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on June 04, 2008. Claims 1-45 are standing for examination.

Merit rejections under 35 U.S.C. 103(a)

Claims 1-8, 10, 16-23, 25, 31-38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich et al. (US 6,560,329) hereinafter Draginich in view of Mears et al. (US 7,092509 B1) hereinafter Mears.

Examiner's rejection

With respect to claim 1, Draginich et al. discloses an agent capability application **(See the abstract of Draginich et al. for reference to an automatic call distribution system containing and application to receive agent status and route calls to selected agents based on agent status).** Draginich et al. also discloses monitoring target resources and rendering capability information to routing applications **(See column 6 lines 59-64 and Figure 4 of Draginich et al. for reference to monitoring agent status information and sending the status information, capability information, to a routing controller when an agent station changes state).** Draginich et al. further discloses a first portion for collecting data regarding capability of the target agent resources **(See column 4 lines 36-45, column 6 lines 59- 64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability data, and send this information to the routing controller 20).** Draginich et al. also discloses a second portion for integrating the data and rendering the capability information to the routing application and using a portion of the integrated capability information for routing calls to the best destination **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls to a best selected agent).** Although Draginich et al. discloses

collecting and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data.

With respect to claim 16, Draginich et al. discloses an agent proxy system operable in at least one communication center **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to a routing controller 20, which performs the function of an agent proxy system, in an automated call distribution system 10).** Draginich et al. also discloses agent resources enabling agents to process communication events **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to agent stations 11-14 each having an interactive communication unit).** Draginich et al. further discloses one or more routing applications subscribing to the one or more of the agent proxy servers **(See column 4 lines 36-54 and Figure 1 of Draginich et al. for reference to the routing controller 20 having an application to route calls based on call data and agent status data).** Draginich et al. also discloses a communications network connecting the agent resources the applications and the one or more agent proxy servers **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to data links 24 that connect the agent stations 11-14 and the routing controller 20)**. Draginich et al. further discloses a capability application for monitoring capabilities of the agent resources for rendering capability information to the subscribing routing applications **(See the abstract, column 6 lines 59-64 and Figure 4 of Draginich et al. for reference to monitoring agent status information and sending the status information, capability information, to a routing controller when an agent station changes state)**. Draginich et al. also discloses a first portion for collecting information regarding capabilities of the target agent resources **(See column 4 lines 36-45, column 6 lines 59-64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 1 1-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability information, and send this information to the routing controller 20)**. Draginich et al. further discloses a second portion for integrating the information and rendering the capability information to the subscribing routing application **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent**

status data and rendering this analyzed data to be used in routing calls). Although Draginich et al. discloses monitoring and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data

With respect to claim 31, Draginich et al. discloses a communication center system **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to an automated call distribution system 10)**. Draginich et al. also discloses a method for providing agent resource capabilities to subscribing routing applications **(See column 4 lines 36-54, column 6 lines 59-64, and Figures 1 and 4 of Draginich et al. for reference to providing agent station status data to a routing controller that contains a program for routing calls).** Draginich et al. further discloses monitoring capabilities of individual agent resources by a first portion of a resource capability application **(See column 4 lines 36-45, column 6 lines 59-64 and Figures I and 4 of Draginich et al. for reference to agent stations 11 -14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability information, and send this information to the routing controller 20).** Draginich et al. also discloses integrating data from the first program portion and rendering agent resource capabilities to the subscribing routing applications by a second portion of the agent resource capability application and routing calls to the best destination using a portion of the integrated agent resource capabilities **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls to a best selected agent).** Although Draginich et al. discloses monitoring and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data.

With respect to claims 1, 16, and 31, Mears et al., in the field of communications, discloses collecting and rendering application, program, and protocol capability data of target agents for use in routing applications **(See column 14 line 36 to column 15 line 26 and Figure 8 of Mears et al. for reference to a collecting and rendering agent media skill assignment information corresponding to media types**

that an agent is capable of handle, i.e. email, voice, WBB, etc., which each inherently include the use of different applications, programs, and protocols). Collecting and rendering application, program, and protocol capability data of target agents for use in routing applications has the advantage of allowing customer sessions using different media types to be efficiently routed to agents, which have the capability to receive a session of the appropriate media type.

It would have been obvious for one of ordinary skill in the art, at the time of the invention, when presented with the work of Mears et al., to combine collecting and rendering application, program, and protocol capability data of target agents for use in routing applications, as suggested by Mears et al., with the system and method of Draginich et al., with the motivation being to allow customer sessions using different media types to be efficiently routed to agents, which have the capability to receive a session of appropriate the media type.

Applicant's response

Applicant presents the "Response To Arguments" portion of the present Office Action below. Unfortunately, the Examiner did not respond to all of applicant's arguments, which will be represented for response from the Examiner.

Examiner argues

Applicant's arguments filed 3/11/08 have been fully considered but they are not persuasive.

Regarding Applicant's argument that Draginich et al. does not disclosed the claimed monitoring agent resources including at least application, program, and protocol capability, the Examiner agrees; however this argument is moot since it is the explicit teachings of Mears et al. that are used to render this limitation obvious in the above rejections, not the explicit teachings of Draginich et al.

Regarding Applicant's argument that Draginich et al. does not disclose a first program portion collecting data regarding capability of target agent resources, the Examiner respectfully disagrees. As shown in the rejections above, Draginich et al.

discloses agent stations monitoring their current status and sending data messages updating current status information to a routing controller upon a change in the status of the agents (See column 4 lines 36-45 and column 6 lines 59-64 of Draginich et al.). Regardless of whether the agent status is changed manually or in some other method, Draginich et al. teaches that the change in agent status is detected by the agent station and reported to the routing controller in a data message. There inherently must be some program, implemented in either software or in some other manner, which detects the change in agent status and sends the data message reporting the detected change to the routing controller. Thus, Draginich et al. does disclose the claimed first program portion collecting data regarding capability of target agent resources.

Applicant's response

Applicant presented an argument that Draginich fails to *monitor*, as claimed. Applicant argues that only with true continuous monitoring can changes in data regarding agent status and capability of the target agent resources, including at least application, program and protocol capability be accurate and continuously implemented in the routing protocol of the communication center. The manual status changes pushed to the controller, as disclosed in Draginich fails to read on true monitoring by an application executing on a computer platform, as claimed.

Examiner's argument

Regarding Applicant's argument that Draginich et al. cannot be adapted to monitor agent station resources like applications, programs, and protocols, as suggested by Mears et al., the Examiner respectfully disagrees. Draginich et al. disclose monitoring and reporting the current availability status of agent resources, and using the reported status to route calls to the best agent destination. Mears et al. discloses that it is advantageous to collect agent media skill assignment information regarding the media types an agent is currently capable of handling and to use the media skill assignment information to route calls in a contact center. Since Draginich et al. already discloses monitoring one type of agent capability information (the status of the agent) and using

this information to route calls, it would have been obvious to combine monitoring additional types of agent capability information (such as media skill assignment information) as disclosed by Mears et al. in order to better route calls to the correct agent. Thus the combination of the teachings of Draginich et al. and Mears et al., as shown in the rejections above, does disclose all the current claim limitations as well as provide proper motivation to combine.

Applicant's response

Applicant points out that applicant's claimed agent capabilities are determined by *monitoring* agent resources including at least application (installed software), program and protocol capability. As previously argued, Draginich's system teaches that agent status regarding live services is detected by controller 20 from the station **upon a change of state of a communication line.** Column 4, lines 36-45 of Draginich clearly limits agent resources to status of communication lines, i.e. idle, ready, ringing active, wrap up, and hold, as described in U.S. Patent No. 5,168,515. Applicant has reviewed U.S. Patent No. 5,168,515 which clearly teaches agent sign-on causes an X.25 virtual circuit between each agent station and call router 18. Changes of agent state of significance to controller 18 are communicated to call router 18 via X.25 messages. Applicant points out that the X.25 messages are created and controlled by controller 18. There is no monitoring of agent state by a portion of an application, as claimed. U.S. 5,168,515 also discloses that agents manually change states by pressing certain keys (col. 8, line 63 to col. 9, line 7).

Applicant points out that Draginich, relying upon teachings of the 5,168,515 patent effectively teaches that agent states are detected by connected controller 18, i.e. changes in communication lines, or agent states must be manually made by the agent. Applicant argues that the Examiner's assumption stating; "Draginich et al. further discloses a first portion for collecting data regarding capability of the target agent resources **(See column 4 lines 36-45, column 6 lines 59- 64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability data, and send this information**

to the routing controller 20).” is clearly unsupported in the art of Draginich as demonstrated above.

Applicant strongly argues that the controller messaging occurring in the art of Draginich cannot possibly monitor agent station resources like applications, programs and protocols because the agent state detection is limited to states of communication lines, unless agent states are manually set by the agent. Therefore integrating Draginich with a piece of art like Mears, which teaches a supervisor creating a table of agent assignments (col. 14, lines 9-18), cannot possibly read on applicant’s claimed ability to actually monitor the real-time station resources including applications, programs and protocol capabilities. Not only is the combination not obvious, the Examiner has failed to show where the basic architecture and capabilities are shown in the art. The art fails to teach a first portion of an application executing on a computer platform capable of monitoring agent station resources including applications, programs and protocols.

Applicant points out that the claim language in question does not recite “monitoring agent station resources including application, programs and protocols skills of an agent. As is known in the art, agents are not capable of application, programs and protocols, agents are only capable of executing hardware capable of running applications, programs and protocols. Applicant respectfully requests the Examiner interpret the claims considering what is known in the common art and understanding of the English language, as recited in applicant’s claimed limitations.

Claim 1 including its dependents clearly recites that agent resources and the applications, programs and protocols used or executed by the resources are not agent skills, but actual communication equipment at the agent’s workstation. For example, does the agent station computer have an instant messaging program? And if so, is it operational? The Examiner is interpreting the claims in error, reading understanding into the claim language that is not recited, while ignoring clear claim language teaching the agent resources are at least communication equipment used by the agent.

Further, the supervisor in Mears **relates capabilities to agents** and there is absolutely no connection between the agent assignment table in Mears and actual hardware and software occurring at the agent station.

As previously argued the unique advantages provided to the art by applicant's invention includes efficient call routing according to real-time agent capabilities, and, because true monitoring occurs at agent resources, if an application, program or protocol failed at an agent station in applicant's invention a call would be routed to an appropriate agent station capable of handling the call. If a specific communication protocol, application or program capability installed at an agent resource failed in either Draginich or Mears a call requiring one of said capabilities would still be routed to that agent and the agent would fail to service the call because there is no actual monitoring of agent resources, as claimed in applicant's invention.

Agent resources, as claimed, may be dynamic in that applications and programs are commonly deleted, installed and updated on devices and a resource or agent skill table as disclosed in Mears must be manually updated by a supervisor when changes occur at agent stations. Therefore, applicant's invention is a significant advantage not known in the art at the time of applicant's filing of the present application.

Summary

Applicant believes that independent claims 1, 16 and 31 are clearly patentable over the art of Draginich and Mears, as argued above. Dependent claims 2-15 and 17-30 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims are clearly shown to be patentable over the art, applicant respectfully requests that the rejections be withdrawn and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
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